



State of Utah

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Environmental Quality

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DAQ-069-06

MEMORANDUM

TO: Air Quality Board

THROUGH: Richard W. Sprott, Executive Secretary

FROM: Jan Miller, Environmental Planning Consultant

DATE: October 11, 2006

SUBJECT: Propose for Public Comment: New State Implementation Plan Section XXII, *Interstate Transport*, and R307-110-36.

When a new National Ambient Air Quality Standard (NAAQS) is promulgated, the Clean Air Act requires states to submit a State Implementation Plan (SIP) under section 110(a)(2)(D)(i) to address interstate transport of emissions that would affect nonattainment and maintenance areas in neighboring states.

The NAAQS for PM_{2.5} and 8-hour ozone were promulgated in 1997, and EPA was sued for failure to require 110(a)(2)(D) SIPs to address those standards. EPA is now under a consent decree to issue a Federal Implementation Plan (FIP) for any state whose SIP is not submitted to EPA and approved by May 25, 2007.

EPA issued guidance to states on August 15, 2006, with supplemental information supplied on September 11. EPA asks that states submit their SIPs to EPA by November 25, 2006, in order that EPA has time to review and approve them before the deadline.

Note that this SIP is different from visibility and regional haze SIPs. This SIP is focused on demonstrating that Utah's regulation of air quality does not interfere with other states' regulation of their nonattainment and maintenance areas for 8-hour ozone or PM_{2.5}, or with their implementation of the prevention of significant deterioration (PSD) or visibility programs. By contrast, SIPs for visibility and regional haze are required to protect visibility in federally-designated Class I areas in Utah and other states. EPA Region 8, including their Regional Counsel's office, has reviewed a draft of this SIP. Their recommendations are included in this draft.

Staff recommendation: Staff recommends that the attached drafts of R307-110-36 and SIP Section XXII, *Interstate Transport*, be proposed for public comment.